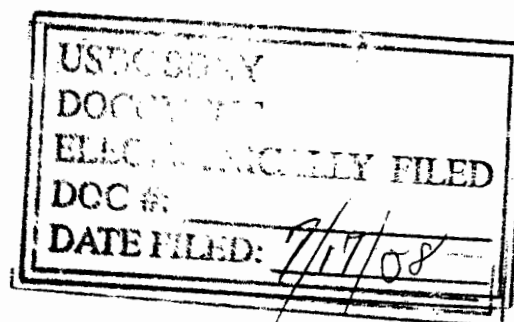


SIEMENS 15.



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
RAMON GARCIA and CARMEN GARCIA,

Plaintiffs,

v.

HOTELS.COM L.P. and
CORPORACION H10 HOTELS, S.L.

Defendants.

Case No. 08 Civ. 6073 (SAS)
ECF CASE

JOINT STIPULATION AND
PROPOSED ORDER PURSUANT TO
FED. R. CIV. P. 54(b) and 28 U.S.C.
§ 1447(c)

WHEREAS, the above-captioned Action was removed to this Court from the Supreme Court of the State of New York for the County of New York on July 2, 2008;

WHEREAS, the deadline for responding to the Complaint in this Action is July 17, 2008 pursuant to this Court's Order dated July 10, 2008 and entered July 11, 2008;

WHEREAS Plaintiffs and co-defendant Hotels.com L.P. ("Hotels.com") have agreed to the discontinuance of the Action with prejudice as to Hotels.com;

WHEREAS co-defendant Corporacion H10 Hotels, S.L. has not been served in this Action;

WHEREAS Plaintiffs seek to have this Action remanded to the Supreme Court of the State of New York for the County of New York upon the entry of Judgment with prejudice as to Hotels.com by this Court;

WHEREAS Hotels.com does not oppose Plaintiffs request for remand of this Action upon the entry of judgment with prejudice as to Hotels.com by this Court;

WHEREAS in view of the resolution of the dispute between Plaintiffs and Hotels.com, there is no just reason to delay the entry of Judgment with prejudice as to Hotels.com;

NOW, THEREFORE, pursuant to Federal Rule 54(b), the Clerk of this Court is hereby directed to enter Judgment dismissing the Action with prejudice as to Hotels.com.

Upon the entry of Judgment as to Hotels.com, this Action shall be remanded to the Supreme Court of the State of New York for the County of New York pursuant to 28 U.S.C. § 1447(c).

The parties shall bear their respective costs and attorney's fees.

Dated: July 14, 2008

William J. Rita, Esq.
Attorney for Plaintiffs

By: 

William J. Rita, Esq.
291 Broadway, Suite 1006
New York, New York 10007
(212) 766-1001

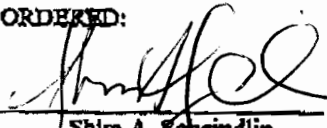
Dated: July 14, 2008

WILSON SONSINI GOODRICH &
ROSATI, PC
Attorneys for Co-Defendant Hotels.com L.P.

By: 

Toria Ouellette Klauner, Esq.
1301 Avenue of the Americas, 40th Floor
New York, New York 10019
(212) 999-5800

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

7/17/08
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